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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/928,796	08/13/2001	Margaret A. Schwarz	9022.8CT	8406
20792 7	590 09/10/2003			
MYERS BIGEL SIBLEY & SAJOVEC			EXAMINER	
PO BOX 37428 RALEIGH, NC 27627		CARLSON, KAREN C		
			ART UNIT	PAPER NUMBER
			1653	
			DATE MAILED: 09/10/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
Office Action Summary		09/928,796	SCHWARZ ET AL.			
		Examiner	Art Unit			
		Karen Cochrane Carlson, Ph.D.	1653			
	The MAILING DATE of this communication app					
	for Reply					
THE - Ext afte - If th - If N - Fai - Any	HORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. ensions of time may be available under the provisions of 37 CFR 1.13 or SIX (6) MONTHS from the mailing date of this communication. He period for reply specified above is less than thirty (30) days, a reply IO period for reply is specified above, the maximum statutory period vidure to reply within the set or extended period for reply will, by statute or reply received by the Office later than three months after the mailing need patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be to within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from the application to become ABANDON to the course the application to become ABANDON to the second ABAN	timely filed ays will be considered timely. m the mailing date of this communication. IED (35 U.S.C. § 133).			
1)	Responsive to communication(s) filed on	·				
2a) <u></u>		is action is non-final.				
3)	closed in accordance with the practice under					
	tion of Claims		•			
4)[Claim(s) <u>1-20</u> is/are pending in the application.					
5 \[4a) Of the above claim(s) is/are withdrawn from consideration.					
	Claim(s) is/are allowed. Claim(s) is/are rejected.					
7) <u>□</u>	Claim(s) is/are rejected. Claim(s) is/are objected to.					
•	Claim(s) <u>1-20</u> are subject to restriction and/or e	election requirement				
•	tion Papers	siconon requirement.				
9)[_	The specification is objected to by the Examine	r. .				
10)	The drawing(s) filed on is/are: a) accept	oted or b) objected to by the Ex	aminer.			
	Applicant may not request that any objection to the	e drawing(s) be held in abeyance.	See 37 CFR 1.85(a).			
11)	The proposed drawing correction filed on	_is: a)□ approved b)□ disapp	roved by the Examiner.			
	If approved, corrected drawings are required in rep	bly to this Office action.				
12)	The oath or declaration is objected to by the Ex	aminer.				
Priority	under 35 U.S.C. §§ 119 and 120					
13)	Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119	(a)-(d) or (f).			
а) All b) Some * c) None of:					
	1. Certified copies of the priority documents	s have been received.				
	2. Certified copies of the priority documents	s have been received in Applica	tion No			
*	3. Copies of the certified copies of the prior application from the International Buse the attached detailed Office action for a list	reau (PCT Rule 17.2(a)).	-			
	Acknowledgment is made of a claim for domesti	•				
	a) ☐ The translation of the foreign language pro Acknowledgment is made of a claim for domesti	visional application has been re	eceived.			
Attachme		. ,				
2) 🔲 Not	ice of References Cited (PTO-892) ice of Draftsperson's Patent Drawing Review (PTO-948) rrmation Disclosure Statement(s) (PTO-1449) Paper No(s) _	5) 🔲 Notice of Informa	rry (PTO-413) Paper No(s) I Patent Application (PTO-152)			

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1, 2, 5, 6, and 17-20, drawn to a method of facilitating vascular growth by inhibiting EMAP II activity via a compound that binds to EMAP II, classified in class 424, subclass 131.1.
- II. Claims 1, 3, 5, 6, and 17-19, drawn to a method of facilitating vascular growth by inhibiting EMAP II activity via inhibiting EMAP II expression, classified in class 514, subclass 44.
- III. Claims 1, 4-6, and 17-19, drawn to a method of facilitating vascular growth by inhibiting EMAP II activity via administration of a EMAP II receptor antagonist, classified in class 514, subclass 2.

Claim 1 is directed to three patentably distinct inventions. If any one of Inventions I-III is elected, Claim 1 will only be examined in-so-far as it pertains to the elected subject matter.

- IV. Claims 7 and 8, drawn to a method of screening combinatorial library compounds that bind to EMAP II, classified in class 435, subclass 7.1.
- V. Claims 7 and 9, drawn to a method of screening protein or peptide compounds that bind to EMAP II, classified in class 435, subclass 7.1.

Claim 7 is directed to two patentably distinct inventions. If any one of Inventions IV or V is elected, Claim 7 will only be examined in-so-far as it pertains to the elected subject matter.

- VI. Claims 10 and 11, drawn to method of screening combinatorial library compounds that bind to DNA encoding EMAP II, classified in class 435, subclass 6.
- VII. Claims 10 and 12, drawn to a method of screening oligonucleotide compounds that bind to DNA encoding EMAP II, classified in class 435, subclass 6.

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Claim 10 is directed to two patentably distinct inventions. If any one of Inventions VI or VII is elected, Claim 10 will only be examined in-so-far as it pertains to the elected subject matter.

VIII. Claims 13-16, drawn to a method of screening compounds that inhibit EMAP II expression, classified in class 435, subclass 6.

The inventions are distinct, each from the other because of the following reasons:

The methods of Inventions I through VIII require different products and steps and have different endpoints. Therefore, Inventions I through VIII are patentably distinct one from the other.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Cochrane Carlson, Ph.D. whose telephone number is 703-308-0034. The examiner can normally be reached on 7:30 AM - 5:00 PM, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Christopher Low can be reached on 703-308-2329. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-308-4242 for regular communications and 703-308-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1235.

KAREN COCHRANE CARLSON, PH.D PRIMARY EXAMINER

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